

Why Do (Some) City Police Departments Enforce Federal Immigration Law? Political, Demographic, and Organizational Influences on Local Choices

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ABSTRACT

In 1996, Congress created a new way to enforce national immigration laws, inviting state and local law enforcement personnel to become formally involved in the effort. Why have police departments in some communities embraced increased involvement in immigration enforcement, whereas others have shunned this role? Do local elected officials typically determine the contours of police practice in this area or do police departments act with considerable autonomy in deciding how much to become involved in immigration enforcement? We examine these issues by analyzing data from a national survey of police chiefs in municipalities with populations of 65,000 or more. Our analysis takes account of the possibly endogenous relationship between the policies of city government and the practices of police departments. We find that immigrant-supportive city policy commitments and the presence of a Hispanic police chief are associated with less intensive immigration enforcement by local police. Voter partisanship is also related to police practices, but only in cities with an unreformed form of government.

With levels of human migration around the world at historic highs in recent decades, national governments have tightened immigration policies and expanded efforts to enforce them in unprecedented ways. These efforts have notably included the devolution of enforcement responsibility to local governments, social service agencies, and private actors (Guiraudon and Lahav 2000). In the United States, this trend has entailed a reconceptualization of traditional relationships between national and local governments. From its first systematic engagement with immigration legislation in the 1880s, the federal government had asserted essentially sole responsibility for

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setting and enforcing immigration laws. Thereafter, states and localities were occasionally involved in enforcement actions but not in immigration policy making per se (McDonald 1997; Tichenor 2002). The local role was conceived to lie in fostering immigrant integration, and states and localities were required by courts to treat non-citizens as persons, with full constitutional protections (Varsanyi 2008b).

Over the past decade or so, this arrangement began to change. Enabled by changes in federal legislation and by rising popular pressure to “do something” about unauthorized immigration, an increasing number of local governments authorized or required their police departments to participate in the identification of unauthorized immigrants and to cooperate with federal enforcement efforts led by the Immigration and Customs Enforcement (ICE) division of the Department of Homeland Security. As such, local governments now hold a limited legal ability to discriminate against people on the basis of citizenship status and to take an active part in ascertaining that status. Some localities, however, have taken the opposite approach, discouraging or forbidding their police from inquiring about immigration status or collaborating with ICE. Local decisions regarding immigration enforcement are sometimes met with considerable controversy, including protests from both pro- and anti-immigrant groups. States sometimes enter the fray, asserting their authority to make policies more uniform. The passage in 2010 of Arizona’s controversial SB 1070 law, for example, was the state legislature’s attempt to limit the discretion of municipalities in the state to determine their own policies toward immigrants; legislators expressed frustration with cities that had instructed officers not to ask about immigration status.

In this article, we seek to account for the considerable variation in how localities have responded to the opportunity to partake in enforcing federal immigration law. We draw upon a survey of police executives in 237 large- and medium-sized cities¹ nationwide that we administered in 2007–08. Our goals here are two-fold. First, we seek to account for variations in local policy choices and police practices regarding immigration enforcement. Our second goal is to enhance understanding of how governing bodies influence, and are influenced by, the bureaucracies under their formal control.

The engagement of local police in the enforcement of federal immigration laws raises enduring theoretical issues regarding the political control of bureaucracies, albeit in a different context from the mostly national-level studies of regulatory agencies that characterize this literature. The context we study includes significant variation. Police departments differ in their reporting relationships to their municipal governments. They also differ in their internal organizational leadership, norms, and values, some of which have the potential to conflict with immigration enforcement. Thus, we are interested in the degree to which immigration-related practices and procedures in the police department are associated with the department’s own organizational characteristics, and the extent to which police practices are driven by the policy choices of the mayor and council and the political leanings of the local electorate. We are interested, for example, in whether a political or ideological effect on policing is more likely in unreformed (mayor-council) cities than in those with reformed (council-manager) governments.

¹ We will use the term *city* as a synonym for *municipality*.

We begin by describing the environment in which local decisions regarding immigration enforcement occur. We then draw upon a diverse literature to sketch some potential influences on local choices. Subsequent sections describe our data and measures and present the results of a multivariate analysis. This analysis has been designed to assess the influence of a variety of factors on police immigration enforcement practices, among them local politics and city policy commitments, descriptive representation of Latinos in elective and appointive positions, and local demographic change. Our approach takes into account the potential for endogeneity in the relationship between immigration-related city government policy and police practices. Finally, we conclude by highlighting some implications and possible avenues for future research.

LOCAL POLICE AND IMMIGRATION ENFORCEMENT

At least two kinds of legislative pressures bear on local police agencies in their interactions with immigrants. First, an increasing number of states and local governments have passed legislation specifically authorizing or requiring local police to assume a more proactive posture in identifying unauthorized immigrants. Arizona's SB1070, for instance, requires local police to check for immigration violations when they encounter someone they suspect may be an unauthorized immigrant and forbids local governments from limiting police cooperation with federal immigration authorities. Similar laws were passed in other states, but their legitimacy has been challenged in the courts. In its June 2012 decision in *US v. Arizona* (567 US ___ (2012)), the US Supreme Court placed strict limits on the power of police to detain the persons they stop to check immigration status, whereas nevertheless allowing the law's so-called "show me your papers" provision to stand. The courts are also considering claims that racial profiling will be encouraged by such laws.

The second source of legislative pressure is the federal government. Congress enacted two laws in 1996 that specified several enforcement and intelligence roles for local police that had been formerly the province of federal immigration authorities. The Anti-terrorism and Effective Death Penalty Act gave local police the authority to arrest previously deported noncitizen felons, and the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) authorized training of local and state police to enforce federal immigration laws. In addition, the Clear Law Enforcement for Alien Removal Act, introduced into the House of Representatives in 2005 (H.R. 3137) and reintroduced in 2009 (H.R. 2406), aimed to both criminalize unauthorized presence in the United States (making it a felony) and allow local police to detain, investigate, and arrest alleged unauthorized immigrants. Some have dubbed this trend toward devolution of federal authority to local police as "immigration federalism" (Huntington 2008; Spiro 1997).

Local decision makers have reacted to these changes in a variety of ways.² Informal working relationships are growing between local police and federal immigration agents

² We do not consider here the growing volume of state and local legislation designed to deter or accommodate undocumented immigrants in areas of policy unrelated to policing, such as eligibility for in-state tuition or restrictions on public benefits (Chavez and Provine 2009; Esbenshade 2007; Hopkins 2010; National Conference of State Legislatures n.d.; Ramakrishnan and Wong 2010; Varsanyi 2008a).

in some jurisdictions. In others, there have been more formal linkages, such as training local police to engage in immigration enforcement under the Section 287(g) program (which refers to the section of the IIRIRA that authorizes such collaboration) or under the Obama Administration's more recent Secure Communities program. Federal agents have been embedded in some police departments to assist in enforcement of drug, gun, and human smuggling laws. The number of law enforcement agencies that have asked for ICE training to make these checks has grown over time, although the absolute number is still small ([Immigration and Customs Enforcement 2009](#)). Other local governments and police departments have rejected local civil immigration enforcement entirely. A relative handful have passed "limited cooperation" ordinances, designating themselves as sanctuary cities, whereas others follow a "don't ask, don't tell" policy with respect to interactions with undocumented immigrants ([Decker et al. 2009](#)).

The involvement of local police in immigration enforcement has potentially significant ramifications, both for immigrants and for broader police-community relations. Local immigration enforcement can put at risk relationships of trust that police have sought to build with immigrant communities. Since the emergence of community policing as a professional philosophy, police have sought to gain the trust and confidence of local community members by emphasizing close communication and collaboration between police and residents, an approach that has become the archetype for police work ([Herbert 2006](#); [Oliver and Bartgis 1998](#); [Skogan 2006](#)). Enforcing civil immigration laws may also encourage racial profiling ([Romero and Serag 2005](#)), particularly as immigration enforcement remains linked to antiterrorism efforts ([Johnson 2004](#)). Even though many police departments have developed policies that prohibit profiling, immigration enforcement may encourage officers to focus on people who "look Mexican" or are heard to speak a foreign language (see [Gardner and Kohli 2009](#) for a pertinent case study).

By 2010, an estimated 11.2 million individuals—about 3.7% of the US population—were unauthorized immigrants ([Passel and Cohn 2011](#)). Many, however, are members of families that also contain legal residents or reside alongside immigrants who have legal status. Indeed, [Passel and Cohn \(2011, 13\)](#) estimated that 82% of the children of unauthorized immigrants are US citizens. Enforcement efforts that target undocumented immigrants will very likely draw some US citizens and legal permanent residents into intrusive contacts with the police. In a national survey by the [Pew Hispanic Center \(2007\)](#), more than half of Latinos expressed fear that they or someone close to them may be deported. Immigrants experience disproportionately high levels of crime victimization and may suffer increased hardships as the police/immigration nexus grows stronger ([Davis, Erez, and Avitabile 2001](#); [Menjívar and Salcido 2002](#)). Thus, local policy intended to enforce national immigration law may have consequences that reverberate far beyond the particular immigrants who are detained.

From the standpoint of principal-agent theories of bureaucracy, devolution of immigration enforcement also presents significant complications. It raises the likelihood that multiple principals—ICE, the state legislature, and the mayor and council—will attempt to influence the practices of local police. Where these principals hold different goals or views on immigration policy, local police may struggle to create a coherent policy. Or they may ally with some principals against others, turning police

policymaking into more of an advocacy-coalition relationship than one based on hierarchy (Hill 1991; Waterman, Rouse, and Wright 2004, 35–38). Immigration-related interest groups sometimes also get involved in these disputes—in some cases, pitting fraternal police organizations against their chief, as in New Haven, Connecticut and Phoenix, Arizona (Associated Press 2008; Varsanyi et al. 2012). Such possibilities further muddy the waters and suggest considerable context-specific variation in local outcomes.

TWO DECISION VENUES: CITY GOVERNMENT AND POLICE DEPARTMENTS

Referring to “local immigration enforcement policy” may misleadingly connote that there is a single local policy decision. Of course, policymaking is rarely so neat. In any given community, immigration enforcement issues may rise to the agenda at various times and under somewhat different guises and different decision-making venues. For instance, a city council may decide at one point whether to direct its police department to ascertain the citizenship status of suspects in custody, and on a separate occasion decide whether to seek a memorandum of agreement with ICE regarding enforcement. The same city’s police chief, meanwhile, might issue general orders to the department’s officers regarding how and under what circumstances citizenship status is to be checked, decide whether foreign government documents, such as the Mexican *matricula consular* card, will be accepted as valid identification, or specify procedures regarding when officers should seek to contact or involve ICE.

Thus, a municipal government is likely to have, not one, but two loci of decision making on this issue—the governing body (council and mayor) and the police department (with the chief of police as its executive). County governments, typically with an elected sheriff as the top law enforcement official, present a potentially quite different set of organizational and political dynamics (Varsanyi et al. 2012). The county situation, which also differs in that sheriffs often administer a jail system of significant size (as only a relative handful of city governments do), is distinctive enough that we do not examine it here.

Our focus here is primarily on the immigration enforcement practices of city police departments, as reported by the police chief. But we take into account that these practices may emerge from the overt or implicit policies set by the mayor and council, as well as from decisions made within the police department regarding whether and under what circumstances to engage in enforcement. In the discussion that follows, we refer to the actions of municipal governments as *city policy* and to the decisions made within police departments as *policing practices*. One might be tempted to conceive of these as two stages or steps in setting local policy, rather than as dual venues for decision making. After all, in theory, the local police are simply a department of the city government charged with implementing the policies enacted by the governing body. However, considerable prior research indicates that local police agencies enjoy a fair degree of autonomy from elected officials in determining the actual practices and procedures that officers will employ. Discretion is inherent in the policing function, and police departments—probably more than most local bureaucracies—are subject to only relatively loose and intermittent oversight and control by the mayor and council.

There is some debate as to how professionally this discretion is exercised (Brown 1988; Chaney and Saltzstein 1998; Davis 1975; Lewis and Ramakrishnan 2007; Lipsky 1980; Mastrofski 2004; Vinzant and Crothers 1998). But the available evidence suggests that police officers do generally operate in line with the orders and directives they receive from police leadership (Katz and Webb 2006; Skogan and Hartnett 1997).³

Moreover, although the “stages heuristic” of policymaking implies that legislative enactment of policy occurs first and is followed by bureaucratic implementation of that policy, it seems likely that in many cities the police department makes choices about enforcement practices well *before* the city council legislates on the issue.⁴ Indeed, the police may have explicit or implicit standard operating procedures on immigration enforcement even where the local governing body never addresses the topic. In a study of California municipalities, Lewis and Ramakrishnan (2007, using 2003 data) found that many police departments devoted significant attention to developing procedures regarding interaction with immigrants, even while elected officials in these same communities were often unaware of or disengaged from issues regarding immigrants.

Thus, just as it is naive to assume that federal agencies simply and neutrally implement the marching orders specified by Congress in statutes (Bryner 1987), so it would be misleading to ignore the potential for police departments to set their own practices with respect to immigration enforcement. We anticipate that local government decisions to either participate in or avoid immigration enforcement will have significant effects on police practices. However, we also expect that even within the presumed constraints set by “official” local policy, there will be considerable variation in the enforcement practices of police departments. A further question, to be explored shortly, concerns what nonpolicy influences might affect police practices.

An additional complication is that the city government’s policy choices may be influenced by its police department’s practices regarding immigration enforcement. Some city governments may formulate policy in this area in *response* to police department requests for certain types of legislation, or due to political pressure or controversy generated by prior police activity. We will need to take account of this possibly endogenous relationship between city policy choices and police practices in our empirical analysis.

POSSIBLE INFLUENCES ON LOCAL ORIENTATIONS TOWARD IMMIGRATION ENFORCEMENT

The small amount of previous published research regarding local immigration policing provides limited theoretical guidance. Nevertheless, various bodies of prior research suggest four possible influences on issues relating to race/ethnicity and local policing. These include (a) the presence of rapid demographic change within the community

3 Thus, although we expect variation between decision-making venues (e.g., city councils and police departments), we anticipate less variation in adherence to policy within a given police department. Our premise is that the chief’s preferences for action will have more impact on officer behavior than will city policies set by the mayor and council.

4 Critiques of the “stages” framework (e.g., Jenkins-Smith and Sabatier 1993) often highlight just such descriptive inaccuracies.

and the degree to which residents or elites who are US natives perceive a “threat” from the entry of new immigrants, (b) the community’s proximity to national borders, (c) the political context of the community and the lines of authority between elected officials and police, and (d) organizational characteristics of the police department itself. Below we consider, in turn, each of these sets of potential determinants of police practices regarding immigration enforcement.

Demographic Change and “Threat”

Whether and how the proximity of minority or subordinated groups to majority or dominant groups affects public attitudes and public policies has long been a matter of debate in the social sciences. A line of work dating at least to [Key \(1949\)](#) and [Blalock \(1967\)](#) suggests that white Americans living in areas with large and visible concentrations of minorities are more likely to act in response to perceptions of “threat,” generating prejudiced attitudes and repressive policies ([Bobo and Hutchings 1996](#); [Giles and Buckner 1993](#)). The competing “contact hypothesis” suggests that the racial attitudes of white Americans tend to moderate or soften over time from frequent contacts with racial or ethnic minorities in schools, workplaces, and neighborhoods ([Ha 2010](#); [Oliver and Wong 2003](#); [Welch et al. 2001](#)).⁵

To date, the threat hypothesis has focused mainly on the effects that racial context has on *individual attitudes* toward race or ethnicity. Extrapolating this idea to the level of municipalities, it could be hypothesized that local policy, and possibly local administrative practices ([Keiser, Mueser, and Choi 2004](#)), will be more restrictive or repressive toward a minority group when demographic changes are perceived by the dominant group as threatening. Most studies of racial threat have focused on relations between whites and African Americans. The case of immigrants and Latinos is much less well investigated (but see [Chandler and Tsai 2001](#); [Ha 2010](#); [Hopkins 2010](#); [Hood and Morris 1997](#); [Huddy and Sears 1995](#); [Quillian 1995](#)). Some case studies and journalistic accounts suggest that cities in the main path of immigrant settlement attempt to “deflect” further immigration ([Light 2006](#)). However, other cities in such situations have taken steps to welcome newcomers ([Mitnik, Halpern-Finnerty, and Vidal 2008](#)). [Hopkins \(2010\)](#) suggests a more nuanced pattern, providing evidence that when rapid growth in immigrants in a particular area occurs in combination with intense national news media coverage of immigration-related issues, attitudes of residents become more hostile and local governments are more likely to consider anti-immigrant legislation. Taken as a whole, this vein of literature suggests that the proportion of immigrants in a community, and recent increases in that proportion, will be associated with the consideration of restrictive policies toward immigrants.

Also connected with the “threat hypothesis,” particularly during an economic downturn, is the fear that immigrants may take jobs that might otherwise be held by native workers. Although this fear may not be well founded ([Friedberg and Hunt 1995](#)), it is *perceptions* of who (or what) is to blame for problems that often set the

5 This debate is considerably more nuanced than we can represent here; see [Rocha and Espino \(2009\)](#) for a review and extension.

agenda for policymaking (Stone 1989). For this reason, high levels of unemployment have been thought to sour attitudes toward immigration (Burns and Gimpel 2000). Another potent dimension of the threat hypothesis involves fear of crime (Skogan 1995). We will examine both unemployment rates and rates of violent crime for the possibility that they have an impact on local policies and police practices regarding unauthorized immigrants.

Border Proximity

Proximity to national land borders may also be associated with perceptions of demographic threat (Alvarez and Butterfield 2000; Branton et al. 2007; Branton and Dunaway 2009), although the presence of federal law enforcement agents in these zones is an additional factor that is likely to be equally important. On one hand, human smuggling, drug and gun trafficking, and related violence have become flash-points of concern in some US communities near the Mexican border, perhaps escalated by the recent increase in disorder related to the rise of criminal gangs in many parts of Mexico. Communities located near the United States-Mexico boundary are thus likely to have a considerably heightened awareness of issues relating to unauthorized immigration. And the entrance through Canadian ports of entry of some of those implicated in the September 11 attacks may also have increased attention to immigration-related issues in states along that boundary.

On the other hand, border-proximate communities simply have more experience interacting with federal authorities regarding immigration enforcement and have more access to federal personnel, which may render local participation in immigration policing more routine or straightforward. This is particularly the case since US Border Patrol officers generally have the authority to set up immigration checkpoints within 100-mile proximity of each land border (Congressional Research Service 2005, 29). Given this complicating factor, it is appropriate to consider border proximity as distinct from demographic threat.

Political Context and Form of Government

Although demographic and social forces may prompt attention or changes to local enforcement practices regarding unauthorized immigrants, policymaking is indisputably a *political* activity. Rather than simply registering reactions to community change, local policymaking involves elected officials, bureaucrats, interest groups, and other actors in a process of problem identification, bargaining, legislating, and implementation. For this reason, we hypothesize that the ideological or partisan leanings of the local population will shape local government policy, with more conservative Republican communities inclined to police immigration violations more aggressively. Three of the few extant studies of local or state policies toward immigrants indicate that measures of partisanship are associated with variation in such policies, to varying degrees (Chavez and Provine 2009; Ramakrishnan and Lewis 2005; Ramakrishnan and Wong 2010), although Hopkins (2010) does not find such a relationship.

Beyond partisan leanings, a high proportion of Latino residents in the population might lead local policymakers to avoid aggressive immigration enforcement, as the majority of immigrants in many cities are from Latin America. In this view, Latino residents who are US citizens and voters act as political proxies for the interests of immigrants. Some US-born Latinos may identify with Latino immigrants due to co-ethnic bonds, whereas other Latino US citizens are themselves immigrants who have naturalized. Of course, where Latinos are politically powerful, there are more likely to be Latino elected officials as well, and these officials may have sufficient influence to advance the interests of immigrants. Conceivably, cities with a large Asian share of the population may experience a similar political dynamic, although the limited size of the Asian population in most areas and the framing of the illegal immigration issue around Mexican nationals suggest the relationship will be weaker for Asians.

Although we anticipate that these political influences will be particularly important in shaping *city government policy*, it is not clear whether the political dynamics of the local community will have an independent effect on *police department practices*. A “politicized bureaucracy” framework would suggest that appointed officials, such as police chiefs, take cues from their reading of local political leanings and the preferences of powerful groups (Wilson 1970). By contrast, notions of an autonomous, insulated, or professionalized bureaucracy suggest an invisible boundary between political influences and bureaucratic practices. The idea of insulated bureaucratic decision making has an institutional aspect. The Progressive reform movement of a century ago explicitly sought to de-link city departments from political influences and interference, and in furtherance of that objective, it sought the creation of an appointive, professional city manager position that would be the locus of day-to-day supervision of city employees (Bridges 1997; Welch and Bledsoe 1988).

We therefore hypothesize that any effect of local political sentiment on police practices will be strongest in “unreformed” city governments, those where the police department reports directly to the elected mayor and council. These unreformed (so-called mayor-council) cities are likely to be more exposed to political influences in policing, as in other domains (Clingermayer and Feiock 2001). Such political influences may include, in conservative communities, an inclination to crack down on unauthorized immigrants. By contrast, in reformed (council-manager) city governments, the police chief is typically hired by the city manager and the norm is for limited contact between elected officials and line employees such as police officers. Thus, we expect that police departments in reformed cities are more insulated from local politics, with police chiefs drawing upon professional norms to guide departmental practices.

Police Organizational Factors

As in any bureaucratic setting, the leadership and organizational philosophy of the police department might be expected to influence its practices and standard operating procedures. Although we do not view police organizational characteristics as likely to influence official city government policy, we do anticipate that organizational factors will shape police practices. The personal characteristics of the administrative leadership, in particular, often play an important role in shaping bureaucratic practices.

Skolnick and Bayley (1986) and Skogan and Hartnett (1997) indicate that this is the case for police chiefs.

Studies of representative bureaucracy further suggest that administrators who are minorities are more likely to direct their subordinates to use procedures and practices that would benefit minorities—or at least avoid harming them (Meier, O’Toole, and Nicholson-Crotty 2003; Selden, Brudney, and Kellough 1998). Regarding police chiefs, for example, Payne and Time (2005) found that African American chiefs were more likely to view Miranda warnings as an important safeguard against police misconduct when questioning criminal suspects. Reflecting the representative bureaucracy literature, we hypothesize that the presence of Latino police chiefs will be associated with a less aggressive posture toward immigration enforcement on the part of the police department.

One dimension of police organizational culture that may be salient with regard to immigration enforcement is whether the police department is committed to the precepts of community-oriented policing. The implications of the community policing philosophy are that police should avoid antagonizing segments of the local population—particularly minorities and those vulnerable to crime victimization—in order to try to keep open the lines of communication and cooperation between police personnel and local residents (Greene 2001; Vinzant and Crothers 1998, 61–62). Relatedly, police departments that have made official commitments to avoid racial profiling may be less likely to embrace immigration enforcement.

DATA SOURCES

Our key measures of local government policy and police practices derive from an original survey of police executives. In November 2007, we distributed a detailed questionnaire to police chiefs in large- and medium-sized US cities. We began with a list of all 492 incorporated municipalities that the US Census Bureau included in its American Community Survey (ACS) of 2005. The bureau’s documentation indicates that the ACS represents all communities nationwide with populations of 65,000 or above.⁶ In seeking contact information for the police chiefs in each city, we identified and omitted a small share of these communities that lacked their own police departments (generally due to contracting relationships with a county sheriff’s office). The remaining 452 communities—effectively *the universe* of police executives in cities of 65,000 or more residents—received an invitation to complete the survey. The chiefs, who were promised anonymity of their responses, had the option of completing the self-administered

6 In examining the population data, however, we noted the ACS’s inclusion of several cities with populations slightly below this intended minimum threshold of 65,000. Eight of these smaller cities responded to our survey.

7 To maximize survey response, we followed Dillman’s (2007) tailored design method. Many other published studies involving surveys of police executives or local administrators have had response rates of about 50% (e.g., Moon 2002; Pratt et al. 2006; Wang 2002; Worrall 2001). Baruch (1999), summarizing response rates in organizational surveys from 175 published studies, found an average response rate of 56% but noted that the percentage had declined over time—to an average of 48% by 1995. Response rates, Baruch noted, tend to be particularly low among top organizational executives (such as the chiefs surveyed here).

survey either on paper or via a secure Web site. After sending waves of reminders, we ultimately received completions from 237 cities, for a response rate of 52.4%.⁷ The responses were a reasonably representative sample of US cities in this size range.⁸

The survey responses have been merged with a host of other statistics regarding the characteristics of each city, primarily drawn from US census sources. We use this dataset to help understand the relative intensity of police departments' engagement in identifying suspected undocumented immigrants as well as the orientation of city government policies toward or against immigration enforcement.

DEPENDENT VARIABLES: IMMIGRATION ENFORCEMENT POLICIES AND PRACTICES

To characterize the nature of orientations toward unauthorized immigrants in *city policies*, we draw on responses to a detailed survey item that asked chiefs to assess the relevant commitments of their municipal government. The survey asked, "Which of the following statements best describes the current position of the local government of your jurisdiction on unauthorized immigration? Choose the single best answer." The five possible response options can be viewed as an ordinal measure of how enforcement oriented a local government is regarding unauthorized immigrants. Starting with the most overtly *nonenforcement* response, chiefs in a relative handful of cities (4%) indicated that "our local government has openly declared this a 'sanctuary' community for unauthorized immigrants who are not engaged in criminal activities." A considerably larger share (15%) replied that "Our local government supports an unwritten, informal policy of 'don't ask—don't tell' regarding unauthorized immigrants living in or traveling through our jurisdiction unless they are involved in serious crime." Importantly, a plurality of chiefs responding to the question indicated that their "local government has no official policy vis-à-vis unauthorized immigrants living in or traveling through our jurisdiction" (46%). Thus, having a local policy regarding unauthorized immigration is hardly a ubiquitous characteristic of medium and large American cities.

Leaning toward the *pro-enforcement* side of the spectrum, 18% of chiefs said that their local government "has developed, or is developing, policies designed to encourage local law enforcement to participate with federal authorities in controlling certain kinds of crime associated with unauthorized immigration." The most overtly enforcement oriented are the 12% of cities whose chiefs reported that their local governments

⁸ Using ACS data, we compared responding and nonresponding cities on the basis of population size, percent of residents' foreign-born, and geographic region. A two-sided *t* test for differences of means indicates that responding cities do not differ significantly from nonresponders in population size or percentage of immigrant residents. Location in a Mexican or Canadian border state also was not significantly associated with the propensity to respond. The one measurable characteristic on which our sample is somewhat nonrepresentative is region of the country, as police chiefs from cities in the northeast were significantly less likely to respond than those in other regions. We do not weight our sample in the analysis below, however, since regional location is not a theoretically relevant variable, except with reference to proximity to the national border. Moreover, in the multivariate analysis, we are more interested in relationships among variables than in precisely representing the underlying population.

⁹ A small share of chiefs was either unsure of local policy (5%) or refused to answer (1%). These observations are dropped in the multivariate analysis.

Table 1
Reported Practices when Encountering Possible Unauthorized Immigrant

Scenario: A Suspected Unauthorized Immigrant Is . . .	Police Departments Where Officers Would Check Immigration Status, Report to ICE, or Both (%)
Arrested for a violent crime	87
Detained for parole violation or failure to appear in court	69
Arrested for domestic violence	64
Interviewed as possible victim of human trafficking	59
Arrested for a nonviolent crime, assuming no prior record	51
Stopped for a traffic violation	21
Interviewed as crime victim, complainant, or witness	15

Source: Authors' survey.

“expect [their] department to take a proactive role in deterring unauthorized immigration in all of [the department’s] activities.”⁹

To summarize this dimension of municipal policy, we create a 5-point measure, the *city government enforcement policy* scale. It ranges from a score of 1 for self-described sanctuary cities to 5 for cities that expect the police department to “take a proactive role” in deterring illegal immigration.¹⁰ Cities where the police chief reported receiving no direction from their municipal government on this matter—just under half the total—fall in the middle of the scale, at point 3. The variable has a relatively normal distribution.¹¹

Turning to *police practices* themselves, we measured orientation toward immigration enforcement by asking the chiefs, “Regardless of what officers are instructed to do or are supposed to do, what typically happens when officers in your department encounter individuals who might be unauthorized immigrants in each of the following situations?” The respondents were presented with seven scenarios, ranging in seriousness from a possibly unauthorized immigrant being arrested for a violent crime, to such an individual being interviewed as a crime victim or witness. Chiefs were asked to indicate, for each scenario, whether the officers would “check immigration status,” “report [the individual] to ICE,” both of the above, or neither; they could also give a “don’t know” response. In general, the perceived likelihood of officers checking immigration status or reporting the person to ICE was related to the seriousness of the suspected offense (see table 1). For the analysis below, we create an additive scale of the number of situations (out of a possible seven) in which officers were expected to “check immigration status,” “report to ICE,” or both. The Cronbach’s alpha for this index is 0.79, indicating that the 7-point scale may be considered reliable.¹²

10 As an alternative, we tried using dichotomous variables for cities with an immigrant-supportive policy (relative to all others) and cities with an enforcement-oriented policy (relative to all others). In probit models used to estimate these dichotomous outcomes, the pattern of results was similar to that reported below for the 5-point ordinal scale. Compared with dichotomous measures, the 5-point scale makes better use of the ordered nature of the possible responses, distinguishing the cities that lack a policy both from those with immigrant-supportive and those with enforcement-oriented policies.

11 The variable has a skewness value of 0.14 and a kurtosis of 2.89, relatively close to the values of a normal distribution (skewness of 0 and kurtosis of 2). The mean score on the index is 3.19 (SD = 0.98).

12 A factor analysis of the seven items in the enforcement scale reveals one main factor (eigenvalue of 2.61), accounting for 92% of the variation. In the analysis below, we use the actual value of the additive scale as the dependent variable. Results are quite similar if we use the factor score as the dependent variable.

This measure represents the degree of aggressiveness in immigration policing practices. Cities range widely across this 7-point scale; the mean police department, according to its chief, would engage in immigration enforcement in 3.9 situations, with a SD of 2.0. The spread of cities over this scale followed a normal distribution.¹³ We use this 7-point ordinal measure, the *police enforcement practices scale*, as a dependent variable in the multivariate analysis.

We confess that we do not have direct measures of what officers on the street are actually doing when encountering immigrants; rather, ours is a measure of what chiefs think their officers are doing. Nevertheless, prior literature gives fair reason to believe that officers generally follow the directions of their chief, at least to the extent that officers are aware of the chief's preferences (Katz and Webb 2006; Skolnick and Bayley 1986; Skogan and Hartnett 1997). Police departments are paramilitary organizations with clearer chains of command than in most public bureaucracies. In addition, the correlation of this measure of the aggressiveness of immigration policing with other measures available from our survey lends some confidence in the validity of the measure.¹⁴

INDEPENDENT VARIABLES

The theoretical discussion noted four possible explanations for the degree of intensiveness of local policing of immigration violations. Here, we briefly describe the variables used to measure these possibilities. Except where noted, these variables are constructed either from US census data (for city demographic characteristics) or from our survey data.

With regard to *demographic threat*, we focus on the size and growth of the immigrant population, crime, and unemployment. We measure the relative size of the local immigrant community as the foreign-born percentage of the city population. We represent the degree of demographic transition or turnover in the community with a variable that measures the percentage-point change between 1990 and 2005 in the share of the city population that was foreign-born. Among the cities responding to the survey, this variable ranged from a low of -5% (indicating a decline in the immigrant share of the local population over the 15-year period) to a high of 26% . Another variable used to measure potential perceptions of threat is the unemployment rate of the city (measured as of 2005–07 American Community Survey). Violent crime rates have been calculated from 2005 data.¹⁵

13 The variable's skewness value is -0.14 and kurtosis is 2.18 .

14 For example, the police chiefs were asked to indicate whether or not "we contact ICE when we are holding suspected unauthorized immigrants for criminal violations." This dummy variable is correlated fairly strongly with our variable measuring police enforcement practices ($r = .27, p < .0001$). Chiefs were also asked to indicate if their departments "do not participate or assist in ICE immigration-enforcement activities." The dummy variable indicating noncooperation with ICE has a strong, negative correlation to our police enforcement scale ($r = -.35, p < .0001$).

15 In calculating the violent crime rate, we use the number of homicides, rapes, robberies, and aggravated assaults reported in the FBI's Uniform Crime Report for 2005, per 10,000 residents, with the 2005 ACS used for the population denominator. In cases where FBI crime data were missing, we attempted to reconstruct the 2005 rate using information from police department Web sites; where this failed, we used FBI data from 2004 or 2006 if available. To get violent crime totals for five cities in Illinois that were missing data for forcible rape, we summed their totals of homicides, robberies, and assaults, and then increased the total by 6.8% —the nationwide percentage of reported violent crimes that were rapes in 2005.

With regard to *border proximity*, we include two dummy variables for cities located within 100 miles of either the Mexican or Canadian land borders. An alternative measure would have been linear distance. However, there is little reason to suspect that perceptions of threat regarding immigration are a linear function of distance from the border. Rather, immigration controversies tend to be disproportionately concentrated near the nation's land boundaries, and as noted above, the 100-mile zone corresponds to the Border Patrol's area of jurisdiction. Distances were measured using Google Earth.

To assess the importance of the *political and governmental context* of a city in explaining police practices, we include several variables. One is a measure of the partisan leanings of the local area as indicated by the percentage of voters in the 2004 presidential election who cast ballots for Republican George W. Bush, using the two-party vote (Bush + Kerry) as the denominator. Unfortunately, since such election data are not uniformly available at the city level, we were forced to measure partisanship at the level of the *county* within which each city is nested.¹⁶ Partisanship, although not a particularly close measure of the ideology of voters, is itself quite salient for immigration policy, as Republican elected officials increasingly have increasingly staked out "tough" policies on immigration.¹⁷

To represent the potential political resources of the immigrant community, we include a measure of the percentage of foreign-born residents who have become naturalized US citizens (from the 2000 Census), as well as measures of the percentage of the overall city population that identifies as Hispanic or as Asian (as of 2005). The naturalization measure indicates the potential political empowerment of immigrants. We deploy this measure with caution, however, bearing in mind that cities with high rates of naturalization may also have a highly "assimilated" immigrant population; undocumented residents might be relatively uncommon or viewed unsympathetically by long-settled immigrants.¹⁸ Our inclusion of the percentage of Hispanic residents is intended to be an indication of the importance of Latinos as a local political constituency, with US-born Latinos perhaps serving as a political proxy for nonvoting Latino immigrants. As a more direct measure of Latino political power, we also include a dummy variable that indicates cities where at least one member of the city council or the mayor identified as Hispanic in 2007, drawing from the directory compiled by NALEO (2007).¹⁹

16 Clearly this approach introduces measurement error, but we have not found any good alternative. Hopkins (2010) and Ramakrishnan and Wong (2010) also use county-level data to estimate local political leanings.

On the negative side, using county-level data has the potential to mask intracounty variations, notably partisan differences between central cities (more traditionally Democratic) and suburbs or exurbs (more often Republican). However, this lack of precision in measuring partisanship likely makes for a more conservative test of the hypothesis that partisanship affects local policy.

17 There is, of course, no available measure of liberal/conservative ideology across the 237 local geographies in our sample. Even if there were, traditional ideological labels do not necessarily map onto immigration attitudes any more cleanly than party identification does. For instance, some libertarian and business-oriented conservatives take a relatively pro-immigration position.

18 Overall, the relationship between percent naturalized among immigrants and percent foreign-born (in the city population) is weak ($r = -.10$, not significant).

19 We also include this indicator variable for Latino public officials in our model of police practices, since it is possible that descriptive representation of Latinos in the elected branches of government might sensitize or influence the police department regarding their interactions with immigrants. However, with regard to the share of Latinos and Asians in the local population, we assume that these demographic variables will influence city government policy but will not *directly* influence policing practices. Multivariate estimations (not shown) confirmed the lack of a significant relationship between percent Hispanic or Asian and our measure of policing practices.

Finally, we anticipate that unreformed city government structure will lead police departments to be more influenced by local politics. To account for this hypothesis of contingency—that is, the notion that politics will have a greater effect on police practices in unreformed cities—we include an interaction term between the measure of residents' partisanship and a dummy variable identifying cities with unreformed city governments.²⁰

Looking at *police organizational and leadership characteristics* that might explain policing decisions, we rely on four variables derived from the survey. Because the representative bureaucracy literature indicates that the race or ethnicity of administrators may influence administrative policies relating to minorities, we include a measure of whether the chief self-identified as Hispanic or Latino (8% did). Another independent variable is the chief's years of law enforcement experience, a good proxy measure for age.²¹ To measure the department's level of commitment to community-oriented policing, we include a count of the number of community-policing techniques that the respondent said were used in the city. We asked about the use of 11 such techniques.²² Finally, we include a dummy variable that indicates which police departments reported having a written policy regarding racial profiling.

MODELING STRATEGY

We have identified four sets of relatively exogenous factors that may influence the degree of intensity with which local authorities approach the immigration issue: immigrant "threat" factors, proximity to the border, characteristics of municipal politics and government, and organizational and leadership features of the police department. In addition, we anticipate that city government policy commitments in favor of or opposed to local immigration enforcement will affect how police handle encounters with possible unauthorized immigrants. But we also consider the possibility that the police department's practices toward unauthorized immigrants may themselves influence the city government's policy. Moreover, the temporal ordering is unclear: City policy may precede police practices, police practices may precede city policy, or both may be decided simultaneously or in an iterative fashion. Thus, the estimation strategy should take into account the possible endogenous and simultaneous relationship between city policy and police practices. Unlike in two-stage least squares, where the goal is to "purge" an endogenous regressor of its correlation with the disturbance

20 We are mindful of [Frederickson, Johnson, and Wood's \(2004\)](#) argument that US cities increasingly fall in between the reformed and unreformed poles. Nonetheless, the fact that city managers generally are the hiring authority for the police chief in council-manager cities underlies our reliance on the traditional dichotomous categorization. We used each city's Web site to identify its form of government.

21 Chiefs were asked to report their age, but as is common in surveys, many (16%) refused to do so. However, nearly all (96%) answered the question about experience. Among chiefs who responded to both questions, the correlation between years of service and years of age was very high (.84).

22 The community policing techniques asked about were foot patrols; bike patrols; regular neighborhood meetings; telephone line for anonymous complaints; regular visits to schools, churches, or neighborhood organizations; regular meetings with organizations that advocate for immigrants; citizen access to crime statistics or crime maps; community advisory board; public hearings; having officers proficient in foreign languages; and cooperation and coordination with nongovernmental organizations. The mean department used 8.9 of these 11 techniques, so commitment to community policing is, at least superficially, fairly ubiquitous.

term of the “final” equation, in our case, both estimated relationships (city policy on police practices and vice versa) are of theoretical interest.

We thus elected to use structural equation modeling (SEM) to estimate a system of two simultaneous equations, one predicting city policy and the other police practices. Within the SEM system, we additionally take into account the covariance of the error terms of the two equations, which are likely to be correlated. We use the so-called quasi-maximum likelihood estimation method for SEM in the Stata 12 statistical package, which fits the model using maximum likelihood but relaxes the assumption of joint normality of all variables when estimating standard errors.

In the *police practices* equation, department practices are hypothesized to be a function of demographic threat factors, border proximity, organizational characteristics of the police department, local partisanship, and the city government’s policy choice. In the *city government policy* equation, the relevant variables are hypothesized to be demographic threat, border proximity, local political characteristics, and the city’s police department practices related to immigration. In the equation for the city policy scale, voter partisanship is assumed to have a direct effect on the actions of elected officials. In the police practices equation, however, voter partisanship is also interacted with the dummy variable for unreformed (mayor-council) government, given our expectation that any effects of partisan sentiments on policing will be more evident in “political” cities than “administrative” cities.

Identifying each equation requires that there be one or more independent variables that do not appear in the other equation; these may be thought of as analogous to instrumental variables in two-stage least squares. For the police practices regression, these include the police department characteristics—the chief’s ethnicity and experience, the commitment to community policing, and the existence of a departmental policy on racial profiling. Variables unique to the city policy regression include two measures of the political environment relating to immigration. The first is a dummy variable that indicates whether the city is located in a state that passed legislation in 2005 or 2006 restricting the access of immigrants to public benefits or social services (such as in-state tuition at public universities or adult English classes).²³ City policies should be more likely to lean toward enforcement in states where anti-immigration legislation has been adopted. The second, also a dummy variable, indicates cities where the police chief either indicated that “most elected officials in this jurisdiction are not interested in this [immigration enforcement] issue” or that “there is no solid majority [on this issue] among elected officials in your jurisdiction.” We hypothesized that these cities without any clear political leaning would be less likely to have a restrictionist policy toward immigration enforcement.

Each of our dependent variables is a 5- or 7-point scale, technically violating ordinary least-squares assumptions that dependent variables be continuous. However, as we have noted, both dependent variables are relatively normal in distribution. And although the police practices scale is, strictly speaking, a count variable, there

23 We used the annual lists of immigration-related legislation in each state compiled by the [National Council of State Legislatures \(n.d.\)](#) and available on their Web site. We coded as restrictive bills only those that actually became law and that overtly reduced the benefits or privileges either of all immigrants in the state, or broad classes of immigrants.

is no evidence of a profusion of zeroes in the distribution or of overdispersion. As a robustness check, we have also estimated each of the two regressions separately using ordered probit. Results were similar to the SEM estimates reported below.²⁴ To make it somewhat easier to compare the relative influence of different independent variables within each equation, in our results, we report standardized regression coefficients.

RESULTS

Table 2 shows results from the SEM analysis. The significant relationship between the error terms of the two regressions indicates that we are on firm ground taking this covariance into account. We begin by briefly discussing the equation modeling city government policies toward immigration enforcement (column A). Recall that higher scores on the dependent variable (along its 5-point scale) represent a policy orientation by the mayor and council favoring greater enforcement.

First, and importantly, we find that police practices—in the form of the police enforcement score—do have a relationship with city government policy. More aggressive immigration policing is associated with a stricter city policy. Indeed, the standardized coefficient is the largest of any of the predictors of city policy (although significant only at $p < .07$). By contrast, the threat hypothesis receives little support. Neither unemployment nor violent crime rates are associated with city policy. Nor, for that matter, is the percentage of immigrants or growth in immigrant share in the city population.

Cities proximate to the Mexican border show a significantly higher likelihood of having an enforcement orientation in their local policies. This may be because the immigration issue is more salient and controversial there (Branton and Dunaway 2009) or because the presence of the Border Patrol in these areas simply makes an enforcement-oriented policy more practical. However, cities located near Canada show the opposite inclination (albeit at the 10% significance level), an initially puzzling result. Further examination of the limited number of cities in the dataset proximate to the northern border ($n = 17$) shows that in fact, very few of these city governments have embraced “sanctuary” or “don’t ask, don’t tell” policies toward unauthorized immigrants. Rather, the cities near Canada are more likely to have no policy on this topic (65%) than is the case for the rest of the sample (45%).

The results in column A also suggest mixed support for the notion that political context is an important influence on local policy commitments. Cities in more heavily Republican areas are not significantly different from more Democratic communities in their policy posture toward immigrants, nor are communities in which Hispanics and Asians are a larger share of the city population, although each of these coefficients is signed in the expected direction. At the same time, however, cities with one or more Latino elected officials are significantly less likely to be enforcement oriented. Thus, descriptive representation of Latinos on city councils appears to matter for local immigration policy. By contrast, cities where a higher proportion of immigrants have become naturalized citizens are *more* likely to have city policies that we have characterized as enforcement oriented. Perhaps high-naturalization cities have a more settled or assimilated immigrant

24 Results were also similar when using three-stage least squares to estimate the two equations.

Table 2
Results of Structural Equation Model

	A	B
	City Government Enforcement Policy Scale	Police Enforcement Practices Scale
Demographic threat		
% foreign-born, 2005	.173 (.117)	-.229 (.088)***
Change in % foreign-born, 1990–2005	.058 (.076)	-.003 (.073)
% unemployed, 2005	-.017 (.081)	.078 (.072)
Violent crimes per 10k pop., 2005	-.043 (.079)	-.043 (.088)
Border proximity		
City within 100 miles of Mexico	.111 (.055)**	-.024 (.070)
City within 100 miles of Canada	-.108 (.065)*	.117 (.073)
Political context		
State has immigrant-restrictive policy	.085 (.054)	
City officials lack interest/no majority	-.090 (.058)	
One or more Hispanic elected officials	-.201 (.080)**	.140 (.108)
% Hispanic	-.093 (.089)	
% Asian	-.098 (.086)	
% of immigrants naturalized	.148 (.075)**	
% Republican vote in county, 2004	.109 (.089)	.052 (.088)
% Republican * unreformed government		.099 (.048)**
Police organization		
Commitment to community policing		-.014 (.045)
Department has policy on racial profiling		-.082 (.049)*
Chief is Hispanic/Latino		-.167 (.067)**
Chief's years of experience		.089 (.054)
Endogenous variables		
Police enforcement practices scale	.426 (.228)*	
City government's enforcement policy scale		.680 (.304)**
Constant	1.534 (.552)***	-.617 (1.04)
Covariance of error terms of equations	-.769 (.221)***	
R ² of each equation	.23	.17
Correlation between dependent variable and its prediction	.49	.51
<i>N</i>	197	197

Notes: Fit statistics (system): Root mean-squared error of approximation (RMSEA): .000; Probability that RMSEA < 05: .996; Akaike's information criterion (AIC): 16,735; Coefficient of determination: .704; Log pseudolikelihood: -8334; Likelihood ratio, model versus saturated: 2.08. Cell entries are standardized (beta) coefficients, with robust standard errors in parentheses.

*, **, *** indicate significance at the 10%, 5%, and 1% levels, respectively. The SEM system satisfies the stability condition.

population that is disinclined to support policies that give aid to undocumented newcomers. The measure of state-level restrictive legislation regarding immigrants and the indicator for cities where elected officials are seen as uninterested in the issue are both correctly signed but fall just short of significance at the 10% level ($p < .12$).

In estimating influences on police practices, which we measured in terms of the number of scenarios in which officers are expected to check the immigration status

of persons they encounter and/or to contact ICE, several results are noteworthy (see column B of [table 2](#)). First, city policy is clearly associated with police practice: Where the city has a more enforcement-oriented policy, police are considerably more aggressive with respect to seeking out immigration violations. Thus, we have found something of a reciprocal relationship between city policy and police practices, as each is significantly influenced by the other.

Second, there is no real support in these results for the demographic threat hypothesis as directly motivating police to increase immigration enforcement. Neither high unemployment nor high rates of violent crime are associated with police enforcement practices. In fact, the relative size of the immigrant population (as a share of city residents) is actually associated quite strongly with *lower* levels of enforcement of immigration violations. This relationship appears to be driven to some degree by a relatively small set of cities in the sample that have very high percentages of immigrants.²⁵

It is possible that where the foreign-born population is large, police departments that are oriented toward community policing refrain from heavy enforcement in order to avoid disrupting fragile trust between community members and police. That said, however, our measure of departmental commitment to community policing lacks a significant relationship to the enforcement scale, although its sign is in the anticipated negative direction.

Other police organizational characteristics appear important for enforcement practices. Most strikingly, the presence of a Hispanic police chief is associated with significantly less aggressive enforcement. The standardized coefficient suggests that having a Hispanic chief is one of the more important covariates of enforcement practices. Considered along with the impact on city policy of having Latino elected officials, our results suggest the importance of descriptive representation among elective and appointive city officials for immigration enforcement decisions. We additionally find that police departments with a written policy regarding racial profiling tend toward lower levels of immigration enforcement.

Finally, the influence of political context is also apparent in police practices but is conditioned by the form of government. As we hypothesized, Republican voter leanings *in combination with an unreformed city government* significantly increase the level of immigration enforcement. This result may possibly reflect greater politicization of policing in unreformed cities. This “effect” of partisanship in mayor-council cities is evident even though we have controlled for the city government’s own policy on immigration enforcement.

SUMMARY DISCUSSION

In this analysis, we have attempted to consider systematically the types of circumstances and local characteristics that may influence local police involvement in enforcing national immigration laws. This was a policy area in flux at the time of our 2008

25 If we drop the cities in the top 10% of the distribution on percent immigrant—those where more than 33% of the population is foreign-born—the relationship between percent foreign-born and police immigration enforcement practices falls to insignificance ($p < .18$).

survey. There was considerable variation in local responses, and many cities had not yet made any overt commitments regarding enforcement.

It is nonetheless clear from these results that policy made by elected city officials sets some important bounds on the practices of police departments. City governments that are more committed to immigration enforcement are more likely to have police departments that are more aggressive in rooting out immigration violations as part of everyday patrol and investigative activity. Thus, some control of bureaucratic agents by political principals is apparent. This is evident even after accounting for the reciprocal relationship, in which police department enforcement practices also appear to influence city policy.

That said, however, nearly half of the city governments have sent no clear policy signal regarding immigration policing to their police department (according to the chief). This means that departments in such cities are necessarily devising their own strategies for how to deal with possible unauthorized immigrants or—if there are no departmental guidelines—are leaving decisions about such interactions to street-level decisions by officers. In either case, this indicates there is a significant reservoir of bureaucratic discretion regarding the enforcement of immigration law in this sample of cities. In short, many key decisions about how police should deal with possible violations of immigration law are apparently taking place without substantial direction from elected officials (see also [Decker et al. 2009](#); [Lewis and Ramakrishnan 2007](#)).

Further, there are also indications that within police departments, characteristics of the leadership and organizational commitments are related to departmental practices toward immigrants. For instance, the intensiveness of immigration enforcement is negatively associated with the presence of a Hispanic chief at the helm of the police department. In addition, efforts by departments to codify policies on racial profiling are also associated with lower-intensity immigration enforcement. These intriguing relationships suggest that reform efforts seeking to make police organizations more broadly representative and more aware of the potential for racial bias may have effects that are more than cosmetic. However, we also acknowledge the possibility that some unmeasured characteristic of a city—perhaps its political culture or heritage of race relations—may influence both the hiring of minority administrators and attempts to reduce racial profiling, as well as immigration policing practices. Latent variable techniques could be included within the SEM framework to attempt to discern this relationship, but we have not done so here, given a lack of firm theoretical footing for what this latent characteristic might actually represent. Additional studies using varied methodologies will be necessary to confirm and unpack the relationship among representative bureaucracy, bureaucratic practices, and orientations toward immigration enforcement in police departments.

The findings suggest that both the demographic threat thesis and the partisanship thesis are too simple to fully explain why some cities and police departments embrace immigration enforcement. Contrary to the threat hypothesis, the rate of increase in the local proportion of immigrants, all else equal, is not associated with our measures of city policy or police practices. And in fact, cities with high shares of immigrants in the population tend to experience *less* aggressive enforcement. Moreover, seemingly objective measures of community crisis, such as rates of unemployment or of violent crime, do not show any significant relationship to the outcomes we have measured. Perhaps,

as Stone (1989) has suggested, the political act of framing and labeling a condition as a public problem is more significant in shaping the policy agenda than are more unambiguous, quantitative indicators of problems. It is true that proximity to the Mexico-US border is associated with more enforcement-oriented city policies, but this may simply result from the accessibility of the US Border Patrol in these areas rather than from feelings of ethnic threat, given that the model controls for demographic shifts.

We find that the political leanings of local voters do matter for police practices but only in cities with unreformed governmental structures, where municipal departments like the police can be expected to be more exposed to politics. Curiously, and unlike some prior studies, we do not find a direct, significant influence of voter partisanship on the orientation of the city council toward immigration enforcement.

The implementation of federal immigration law is becoming more complex and less transparent as more governmental agencies become involved. As Ellermann (2006) and Van der Leun (2006) have shown in a European context, devolution of immigration decision making brings into play new political priorities and taps new institutional capacities and limitations. Localization of immigration policy also may in turn affect public opinion, with implications for bureaucratic behavior (Ellermann 2006). Exploration of the impact of localized implementation of federal immigration rules is beyond the scope of this article, but the reality of devolution suggests that changes in implementation are occurring and that local ideas about membership in the community may be changing as well.

To be sure, this analysis has limitations. The sample is limited to larger communities, and many characteristics are likely to be measured somewhat imprecisely. Moreover, our measures of local policy and practices depend on the accuracy and veracity of a single observer in each city (and an interested one at that). Qualitative investigation of local immigration policing has the potential to identify other possible causal relationships that may be operating to influence police practices regarding immigrants or to suggest mechanisms by which environmental or contextual factors affect local choices. We hope that more scholars will devote attention to describing and explaining the entanglement of local police, immigrants, and federal law and will consider the effects of local immigration enforcement on communities.

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